

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3                   JOHNNY WILLIAM JOHNSON, III,

Case No. 2:22-cv-00462-APG-EJY

4                                   Petitioner,

**ORDER**

5                   v.

6                   C. JOHNSON, et al.,

7                                   Respondents.

8                   This habeas matter is before the Court on Petitioner Johnny William Johnson III's failure  
9                   to comply with the Court's Order. ECF No. 3.

10                  Petitioner initiated this case by submitting a Petition for Writ of Habeas Corpus on March  
11                  14, 2022, but he did not pay the five-dollar (\$5.00) habeas filing fee or file an application to  
12                  proceed *in forma pauperis* ("IFP") for incarcerated litigants. *See* 28 U.S.C. § 1915(a); LSR 1-1,  
13                  LSR 1-2. On April 6, 2022, the Court ordered Petitioner to either pay the \$5 filing fee or submit  
14                  a complete IFP application with all required attachments within 45 days. ECF No. 3. Petitioner  
15                  was warned that a failure to comply by (a) submitting a complete IFP application, or (b) paying  
16                  the filing fee would result in the dismissal of this action. *Id.* The 45-day deadline expired May  
17                  23, 2022. To date, Petitioner has not filed a completed IFP application, paid the \$5 filing fee,  
18                  requested an extension of time, or taken any other action to prosecute this case.

19                  **I THEREFORE ORDER:**

- 20                  1. Petitioner Johnny William Johnson III's Petition for Writ of Habeas Corpus (ECF  
21                  No. 1-1) is **DISMISSED WITHOUT PREJUDICE** based his on failure to  
22                  comply with the Court's Order (ECF No. 3) or the Local Rules of Practice.  
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2. Petitioner is denied a certificate of appealability, as jurists of reason would not find dismissal of the petition for the reasons stated herein to be debatable or wrong.
3. The Clerk of Court is instructed to add Nevada Attorney General Aaron D. Ford as counsel for Respondents. No response is required from Respondents other than to respond to any orders of a reviewing court.
4. Pursuant to Rule 4 of the Rules Governing Section 2254 Cases, the Clerk of Court will file the Petition (ECF No. 1-1) and informally serve the Nevada Attorney General with the petition and this order by sending a notice of electronic filing to the Nevada Attorney General's office.
5. The Clerk of Court is instructed to enter final judgment accordingly and close this case.

Dated: May 25, 2022

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE